

DECLARATION REGARDING LATE E-FILING OF DOCUMENT

RODRIGUEZ TORRES; et al. v. GERARD HEINAUER; et al.
C 07-3345 TEH

I, Carol E. Wexelbaum declare as follows:

I am employed as a Legal Assistant for the United States Attorney's office, Northern District of California. I was unable to e-file the **JOINT CASE MANAGEMENT STATEMENT** and **[Proposed] ORDER** due to a technical failure of the e-filing system on September 24, 2007. I attempted to e-file the document at least two times after 12:00 noon separated by at least one hour on each day of delay due to such technical failure.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on September 25, 2007 at San Francisco, California.

/s/

CAROL E. WEXELBAUM
Legal Assistant